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ORDER OF THE BOARD

The surrender of Physician and Surgeon's License No. G-15250, by respondent, Lawrence G. Krugman, M.D., is accepted by the Medical Board of California, Division of Medical Quality of the State of California.

This decision shall become effective on the 1st day of July, 1993.

It is so ordered this 1st day of July, 1993.



FOR THE MEDICAL BOARD OF CALIFORNIA

SVA:mlt

EMP.WP

1 DANIEL E. LUNGREN, Attorney General
of the State of California
2 STEVEN V. ADLER,
Deputy Attorney General, State Bar No. 55392
3 Department of Justice
110 West A Street, Suite 700
4 Post Office Box 85266
San Diego, California 92186-5266
5 Telephone: (619) 237-7772
6 Attorneys for Complainant

7
8 BEFORE THE
MEDICAL BOARD OF CALIFORNIA
9 DIVISION OF MEDICAL QUALITY
10 DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA
11

12 In the Matter of the Accusation) NO. D-4703
Against:)
13)
LAWRENCE G. KRUGMAN, M.D.) STIPULATION FOR
14 California Men's Colony - Main) SURRENDER OF LICENSE
P.O. Box 8101)
15 San Luis Obispo CA 93409)
16 Physician and Surgeon No.)
G-15250)
17 Respondent.)

18
19
20 IT IS HEREBY STIPULATED AND AGREED BY AND BETWEEN THE
21 PARTIES TO THE ABOVE-ENTITLED MATTER THAT:

22 1. Dixon Arnett, complainant, is the Executive Director
23 of the Medical Board of California, Department of Consumer Affairs
24 ("Board") and is represented by Daniel E. Lungren, Attorney General
25 of the State of California by Steven V. Adler, Deputy Attorney
26 General.

27 2. Lawrence G. Krugman, M.D. ("respondent") is
28 representing himself in this matter. The respondent has counseled

1 with an attorney concerning the effect of this stipulation which
2 respondent has carefully read and fully understands. The
3 respondent has also reviewed Business and Professions Code
4 section 2307 governing reinstatement of his license.

5 3. Respondent has received and read the Accusation which
6 is presently on file and pending in Case Number D-4703 before the
7 Board, a copy of which is attached as Exhibit A.

8 4. Respondent understands the nature of the charges
9 alleged in the Accusation and that, if proven at hearing, such
10 charges and allegations would constitute cause for imposing
11 discipline upon respondent's license issued by the Board.

12 5. Respondent is aware of each of respondent's rights,
13 including the right to a hearing on the charges and allegations,
14 the right to confront and cross-examine witnesses who would testify
15 against respondent, the right to present evidence in his favor and
16 call witnesses on his behalf, or to testify, his right to contest
17 the charges and allegations, and other rights which are accorded
18 to respondent pursuant to the California Administrative Procedure
19 Act (Gov. Code, § 11500 et seq.), including the right to seek
20 reconsideration, review by the superior court, and appellate
21 review.

22 6. Respondent understands that in signing this
23 stipulation rather than contesting the accusation, he is enabling
24 the Medical Board of California of the State of California to issue
25 its order accepting the surrender of his license without further
26 process.

27 7. In order to avoid the expense and uncertainty of
28 hearing, respondent freely and voluntarily waives each and every

1 one of the rights set forth above, and respondent hereby surrenders
2 Physician and Surgeon's License No. G-15250 for the Board's formal
3 acceptance.

4 8. Upon acceptance of the stipulation by the Board,
5 respondent agrees to surrender and cause to be delivered to the
6 Board both his license and wallet certificate. Respondent further
7 understands that when the Board accepts the surrender of his
8 license, he will no longer be permitted to practice as a physician
9 and surgeon in California.

10 10. Respondent fully understands and agrees that in
11 acting upon any application for relicensure or reinstatement which
12 respondent ever files in the State of California, the Board shall
13 deem all of the charges and allegations contained in Accusation
14 No. D-4703, to be true and correct and admitted by respondent.
15 Respondent admits the allegations contained in Accusation No. D-
16 4703, which is incorporated by this reference as if set forth in
17 full and is appended as Exhibit A.

18 11. All admissions, agreements and recitals contained
19 in this stipulation are made solely and exclusively for the purpose
20 of settlement of Accusation No. D-4703 against Lawrence G. Krugman,
21 M.D. In the event that this stipulation is rejected for any reason
22 by the Board, it will be of no force or effect for either party.

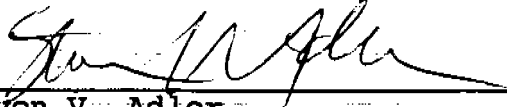
23 I concur in the stipulation.

24 DATED: 23 May 1993

25 DANIEL E. LUNGREN, Attorney General
26 of the State of California

27

28


Steven V. Adler
Deputy Attorney General
Attorneys for Complainant

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DATED: April 13, 1993

Lawrence G. Krugman, M.D.
Lawrence G. Krugman H-38137

I, Lawrence G. Krugman, M.D., have carefully read the above stipulation and enter into it freely on advice of counsel, and with full knowledge of its force and effect, do hereby surrender my certificate of licensure, No. G-15250, to the Medical Board of California, for its formal acceptance. By surrendering my license, I recognize that upon its formal acceptance by the Board, I will lose all rights and privileges to practice as a physician and surgeon in the State of California.

DATED: April 13, 1993

Lawrence G. Krugman, M.D.
LAWRENCE G. KRUGMAN, M.D.
Respondent

1 DANIEL E. LUNGREN, Attorney General
of the State of California
2 RANDALL B. CHRISTISON,
Deputy Attorney General
3 110 West A Street, Suite 700
San Diego, California 92101
4 Telephone: (619) 237-7772

5 Attorneys for Complainant

6
7 BEFORE THE MEDICAL BOARD OF CALIFORNIA
8 DIVISION OF MEDICAL QUALITY
9 DEPARTMENT OF CONSUMER AFFAIRS
10 STATE OF CALIFORNIA
11

12 In the Matter of the Accusation Against:) NO. D- 4703
13)
LAWRENCE G. KRUGMAN)
8770 Golden Street)
14 Alta Loma, CA 91701) ACCUSATION
15)
Physician's & Surgeon's Certificate No. G-15250)
16)
Respondent.)
17 _____)

18 COMES NOW Complainant Kenneth Wagstaff, who as cause for disciplinary action, alleges:

19 1. Complainant is the Executive Director of the Medical Board of California (hereafter the
20 "Board") and makes and files this accusation solely in his official capacity.

21 LICENSE STATUS

22 2. Respondent Lawrence G. Krugman, M.D. (hereafter referred to as "respondent") is the
23 holder of physician's and surgeon's certificate number G-15250 which was issued on August 19, 1968, and
24 the license is currently in effect. On March 5, 1992, the Superior Court of the County of San Bernardino
25 issued a temporary restraining order preventing respondent from practicing medicine. This restraining order
26 remains in effect.

27 ///

28 ///

STATUTES

3. This accusation is made in reference to the following statutes of California:

a. *Business and Professions Code Section 2227* provides that the Board may revoke, suspend for a period not to exceed one year, or place on probation, the license of any licensee who has been found guilty under the Medical Practice Act.

b. *Business and Professions Code Section 2234* provides:

"The Division of Medical Quality shall take action against any licensee who is charged with unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:

"(a) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of this chapter.

"(b) Gross negligence.

"(c) Repeated negligent acts.

"(d) Incompetence.

"(e) The commission of any act involving dishonesty or corruption which is substantially related to the qualifications, functions, or duties of a physician and surgeon. . . ."

c. *Business and Professions Code section 2238* provides that violation of state or federal drug laws is unprofessional conduct.

d. *Business and Professions Code section 822* provides,

"If a licensing agency determines that its licentiate's ability to practice his or her profession safely is impaired because the licentiate is mentally ill, or physically ill affecting competency, the licensing agency may take action by any one of the following methods:

"(a) Revoking the licentiate's certificate or license.

"(b) Suspending the licentiate's right to practice

"(c) Placing the licentiate on probation.

"(d) Taking such other action in relation to the licentiate as the licensing agency in its discretion deems proper. . . ."

1 e. *Business and Professions Code section 2239* provides that a licensee's use or prescription for or
2 a administration to himself of a dangerous drug (defined as a drug only available with a prescription) or
3 controlled substance which impairs his ability to practice medicine safely is unprofessional conduct.

4 f. *Business and Professions Code section 2261* provides that the making or signing of any document
5 directly or indirectly related to the practice of medicine which falsely represents the existence of a state of
6 facts is unprofessional conduct.

7 g. *Business and Professions Code section 4211* defines as a dangerous drug any medication
8 or drug bearing a label prohibiting dispensing without a prescription.

9 h. *Health and Safety Code section 11153* prohibits the issuance of a prescription for anything
10 other than a legitimate medical purpose.

11 i. *Health and Safety Code section 11157* prohibits the issuance of a prescription false or
12 fictitious in any respect is illegal.

13 j. *Health and Safety Code section 11173* prohibits that prescriptions obtained through
14 misrepresentation are illegal.

15 k. *Health and Safety Code section 11174* prohibits the giving of a false name or false address
16 in connection with a prescription.

17 l. *Health and Safety Code sections 11175 and 11180* prohibit the possession of any controlled
18 substance obtained through a prescription not in compliance with the Uniform Controlled Substances Act.

19 DEFINITIONS

20 4. The ensuing terms are defined as follows:

21 a. *Chloral hydrate* is a Schedule-IV controlled substance (Health & Safety Code, § 11057) and a
22 systemic hypnotic drug used for relief of anxiety and tension. Common brand names are Noctec and
23 Aquachloral.

24 b. *Hydroxyzine* is a systemic central nervous system depressant with antihistamine effects used to
25 treat nervous and emotional conditions. Common brand names are Vistaril and Atarax.

26 c. *Cyclobenzaprine* is a systemic muscle relaxant commonly sold under the brand name Flexeril.

27 d. *Diphenhydramine* is an antihistamine with sedative effects, sold under the brand name Benadryl.

28 e. *Donnatal* is a central nervous system depressant used to relieve muscle spasms and contains

1 phenobarbital, a Schedule-IV controlled substance.

2 FACTS

3 *A. San Antonio Community Hospital Suspension of Staff Privileges*

4 5. Respondent has been licensed to practice medicine since 1968 and for some period of time has
5 been practicing in the Upland area where he was on staff at San Antonio Community Hospital (hereafter
6 "S A C H"). Sometime during the summer of 1991, other staff members noted behavior on the part of
7 respondent which was inconsistent with quality patient care.

8 6. Following S A C H's investigation, the S A C H Medical Executive Committee ("MEC")
9 determined that respondent "was severely impaired and that immediate action needed to be taken to reduce
10 the substantial likelihood of imminent danger to the health and safety of patients" On September 17,
11 1991, S A C H summarily suspended his hospital privileges.

12 7. The month following, the MEC ordered the suspension to continue in effect for 12 months after
13 the judicial review hearing. At the expiration of the 12-month period, respondent could apply for
14 reinstatement if two psychiatrists reported he were no longer impaired. Under the compulsion of Business
15 and Professions Code section 805, subdivision (b), S A C H reported this suspension to the Medical Board
16 of California, and as required, submitted the statement of charges which formed the basis of the suspension.
17 (Bus. & Prof. Code, § 805.1, subdiv. (a).) These decisions were based upon respondent's mental illness
18 which impaired his ability to practice and upon repeated acts of negligence, incompetence and
19 unprofessional conduct.

20 *B. S A C H Patients*

21 8. Patient one (Chart 186967) was admitted through the emergency room at S A C H on June 16,
22 1991, with respondent as her physician. Respondent failed to render care and abandoned her. This is an
23 act of gross negligence and unprofessional conduct.

24 9. Patient two (Chart 187650) was admitted through the emergency room into the intensive care
25 unit on July 5, 1991. Three days thereafter, respondent's wife called to order a staff nurse to discharge the
26 patient immediately. When the nurse refused to accept such an order, respondent's wife called the patient,
27 informing her that if she was not discharged immediately, Medicare would hold the patient responsible for
28 payment. Respondent was aware of his wife's prior similar conduct and was or should have been aware of

1 such conduct. Permitting and failing to act to prevent this interference with patient care is negligent and
2 unprofessional conduct.

3 10. Patient three (Chart 187654) was admitted through the emergency room arriving at 12:20 p.m.
4 on July 5, 1991, by respondent at 8:55 p.m. The nurse tried several times to obtain admitting orders from
5 respondent. Finally, at 11:30 p.m., respondent gave admitting orders but did so without examining the
6 patient, and did not examine her until the following morning. When the patient complained on July 7 of
7 the care she was receiving from respondent, he refused to respond to her questions or concerns. On July
8 9, the patient again complained, particularly about respondent's failure to examine or visit the patient. This
9 failure to treat and examine a patient is gross negligence, incompetence and unprofessional conduct.

10 C. *Domestic Violence Incidents*

11 11. On January 2, 1992, respondent struck and injured his wife, Bernadette Krugman, a person
12 disabled by muscular dystrophy. During the period leading up to and immediately after the battery,
13 respondent was speaking in an irrational, rambling fashion. Respondent also struck and choked his wife
14 on August 1, 1991. On October 12, 1991, respondent slapped her and pulled her hair. Respondent
15 committed these acts while fully aware of her disability.

16 12. During the period 1986 through January 1992, respondent engaged in a course of conduct
17 including numerous incidents of assaults and batteries upon Mrs. Krugman, as well as repeated verbal
18 threats and verbal abuse, including the incidents referred to in paragraph 12, above.

19 13. On January 6, 1992, the superior court of San Bernardino County, in case number RCV
20 061077, issued a temporary restraining order against respondent ordering him to refrain from contacting,
21 molesting, striking, threatening, sexually assaulting, battering, telephoning or disturbing Mrs. Krugman and
22 further ordering respondent to stay at least 150 yards away from the residence and from the members of
23 the family.

24 14. Petitioner is informed and believes the superior court issued a preliminary injunction against
25 respondent carrying the same restrictions on January 22, 1992, and such injunction currently remains in
26 effect. The acts described in paragraphs 11 through 13 above are acts of unprofessional conduct and are
27 acts evidencing his mental illness which impaired his ability to practice medicine safely.

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1 *D. Concealed Weapon Incident*

2 15. On January 10, 1992, San Bernardino Sheriff's Office Deputy Timothy Smith carried out a
3 consent search of respondent's automobile where he found six rifles, one shotgun, three pistols, and four
4 assault weapons, at least three of the weapons were loaded. Respondent was in violation of Penal Code
5 sections 12025 (possession of concealed weapons) and 12031 (possession of loaded weapons). These acts
6 demonstrate respondent's mental illness which impaired his ability to practice and are acts of unprofessional
7 conduct.

8 *E. Vehicular Manslaughter Incident*

9 16. On January 12, 1992, respondent, while driving the wrong way on a San Diego freeway, crashed
10 head-on into a family car, killing the mother, seriously injuring her 11-year-old son, and injuring the other
11 family members. The direct cause of respondent's aberrant driving was his ingestion of evidently a large
12 quantity of drugs. This is an act of unprofessional conduct and was the result of numerous violations of
13 the narcotics laws as hereinafter alleged.

14 *F. Self-medication and false prescriptions*

15 17. During the period from June 1991 through January 12, 1992, respondent prescribed numerous
16 dangerous drugs and controlled substances to himself. He falsely stated to the pharmacists who filled the
17 prescriptions they were for office use. In fact, respondent consumed the drugs himself. He was not under
18 treatment for any condition for which these medications were indicated and did not consume them for any
19 legitimate medical reasons.

20 18. During the period from June 1991 through January 12, 1992, respondent prescribed numerous
21 dangerous drugs and controlled substances purportedly to his wife, Bernadette Krugman. The prescriptions
22 he wrote were false and misleading in that they were written by respondent in order to obtain those drugs
23 and substances for his own use. She was not under treatment by respondent for any condition for which
24 these medications were indicated. Respondent did not write these prescriptions for any legitimate medical
25 purpose but rather for the sole purpose of obtaining the drugs for his own consumption.

26 19. During the period from June 1991 through January 12, 1992, respondent prescribed numerous
27 dangerous drugs and controlled substances purportedly to his mother-in-law, Permilia M. The prescriptions
28 he wrote were false and misleading in that they were written by respondent in order to obtain those drugs

1 and substances for his own use. She was not under treatment by respondent for any condition for which
2 these medications were indicated. Respondent did not write these prescriptions for any legitimate medical
3 purpose but rather for the sole purpose of obtaining the drugs for his own consumption. Respondent
4 wrote these prescriptions by falsely stating her address as the same address as his own.

5 20. Respondent was in possession of a large quantity of prescription drug bottles, 45 altogether
6 (most of them empty) at the time of the January 12, 1992, accident. The labels reflected that he was the
7 prescribing physician and the drugs were prescribed to himself and to two other family members. Most of
8 the drugs were chloral hydrate, hydroxyzine, cyclobenzaprine, diphenhydramine, and Donnatal.

9 21. Respondent possessed the controlled substances and dangerous drugs in violation of Health
10 and Safety Code section 11173 (prescriptions obtained through misrepresentation); section 11157 (false and
11 fictitious prescriptions); section 11153 (prescription not for legitimate medical purpose); section 11174
12 (prescription obtained through use of false name or address); and sections 11175 and 11180 (possession of
13 controlled substances obtained through a prescription not in compliance with the Uniform Controlled
14 Substances Act).

15 22. Respondent possessed the controlled substances and dangerous drugs in violation of Business
16 and Professions Code section 2239 (self-prescription or administration of a controlled substance or
17 dangerous drugs which impair his ability to practice medicine safely); section 2261 (making or signing of
18 any document directly or indirectly related to the practice of medicine which falsely represents the existence
19 of a state of facts).

20 Each of these violations are acts of unprofessional conduct and further, these violations proximately
21 caused his incompetence to practice medicine.

22 *G. Psychiatric disability*

23 23. On August 13, 1991, the S A C H medical committee interviewed respondent and found him
24 to be "quite anxious, jittery and under severe stress . . . [and] might be physically ill."

25 24. Following this meeting, respondent was examined by a psychiatrist (H. Mark Carter, M.D.) who
26 found respondent to have "a severe, obsessive-compulsive disorder with depressive features" and "a guarded
27 and somewhat paranoid core of belief."

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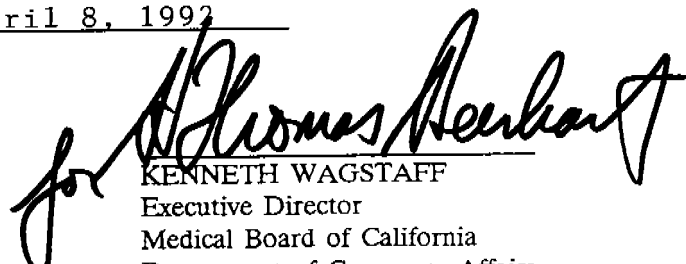
1 25. Respondent continued to behave in an irrational way including his acts of domestic violence
2 during December 1991 and January 1992, his possession of an arsenal of weapons, carried and possessed
3 in an illegal manner, and his self-medication leading to his driving under the influence of drugs. In
4 addition, while in Mexico on January 11 and 12, 1992, he was arrested and detained by the Tijuana police
5 for behavior evidencing mental illness. Those police then transported him to the border where he, while
6 still in the throes of mental illness entered his car and drove the wrong way on the freeway. At the scene
7 of the accident he was acting and speaking in a manner evidencing mental illness, in that his speech was
8 rambling and repetitive and he was expressing paranoid ideas, and was taken tot he San Diego County
9 Mental Health Facility for psychiatric treatment for approximately 24-48 hours.

10 26. The foregoing conduct as well as the conduct described in paragraphs 5 through 26 above
11 demonstrate respondent's ability to practice medicine is impaired due to mental illness.

12 WHEREFORE, complainant requests that the Board hold a hearing on the matters alleged
13 herein, and that following said hearing, the Board issue a decision:

- 14 1. Revoking or suspending Physician's & Surgeon's Certificate No. G-15250
15 heretofore issued to respondent Lawrence G. Krugman and,
16 2. Taking such other and further action as the Board deems appropriate to protect
17 the public health, safety and welfare.

18 DATED: April 8, 1992

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KENNETH WAGSTAFF
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California

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23 Complainant
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